

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Colin Gardner	Team: Squad #6	CCRB Case #: 201700442	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 01/13/2017 8:45 PM	Location of Incident: § 87(2)(b) and inside the 67th Precinct stationhouse	Precinct: 67	18 Mo. SOL 7/13/2018	EO SOL 7/13/2018	
Date/Time CV Reported Sat, 01/14/2017 7:31 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 01/18/2017 12:05 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Miguel Vanbrakle	28743	955616	067 PCT
2. POM Ronnie Rivera	10655	955385	067 PCT
3. An officer			067 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Enoch Choi	06926	958404	067 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Miguel Vanbrakle	Abuse: At § 87(2)(b) in Brooklyn, PO Miguel Vanbrakle interfered with § 87(2)(b)'s use of a recording device.	
B.POM Ronnie Rivera	Discourtesy: En route to the 67th Precinct Stationhouse, PO Ronnie Rivera spoke discourteously to § 87(2)(b)	
C.POM Miguel Vanbrakle	Force: At the 67th Precinct Stationhouse, PO Miguel Vanbrakle used physical force against § 87(2)(b)	
D.POM Miguel Vanbrakle	Discourtesy: Outside the 67th Precinct Stationhouse, PO Miguel Vanbrakle spoke discourteously to § 87(2)(b)	
E. An officer	Abuse: At the 67th Precinct Stationhouse, an officer threatened § 87(2)(b) with the use of a Tazer.	
F.POM Ronnie Rivera	Discourtesy: At the 67th Precinct Stationhouse, PO Ronnie Rivera spoke discourteously to § 87(2)(b)	
G.POM Miguel Vanbrakle	Abuse: At the 67th Precinct Stationhouse, PO Miguel Vanbrakle threatened § 87(2)(b) with the use of force.	

Case Summary

On January 14, 2017, IAB filed this complaint on behalf of § 87(2)(b) and it was forwarded to the CCRB on January 18, 2017. § 87(2)(b) also filed a complaint with the IAB Command Center regarding this incident on January 15, 2017, and it was forwarded to the CCRB as a duplicate complaint on January 19, 2017.

A call was placed to § 87(2)(b)'s aunt, § 87(2)(b), on January 19, 2017. An unidentified male answered the call and stated that the wrong number was reached. On January 19, 2017, a CTS search yielded one telephone number. However, this was not a working number. On January 19, 2017, a call was placed to IAB on-site and an additional telephone number was provided for § 87(2)(b). On January 20, 2017, and on January 27, 2017, please call letters were mailed to § 87(2)(b). Neither letter has been returned by the USPS as undeliverable. From January 20, 2017, to January 27, 2017, three calls were placed to the telephone number provided by IAB and voicemails were left each time. On January 27, 2017, a BADS search revealed that § 87(2)(b) was arrested again on January 25, 2017, but he was not currently incarcerated. On January 27, 2017, an OCA search was conducted which revealed that § 87(2)(b) was being represented by the § 87(2)(b) attorney § 87(2)(b). From January 30, 2017, to February 6, 2017, four calls were placed to § 87(2)(b) and voicemails were left each time to obtain contact information and advise her of the intent to interview § 87(2)(b). On January 31, 2017, a call was placed to the same telephone number provided by IAB and an individual who answered the phone advised this was a wrong number. On February 6, 2017, a please call letter was mailed to § 87(2)(b). That letter has not been returned by the USPS as undeliverable.

On February 6, 2017, a voicemail was received from § 87(2)(b) who stated that he received the please call letters. He was called back on this date during which time a phone statement was obtained and an interview at the CCRB was subsequently scheduled for February 14, 2017.

§ 87(2)(b) appeared for his interview on February 14, 2017. § 87(2)(b) was advised that his statement could be subpoenaed regarding his criminal court case and that he should contact his lawyer to seek permission in providing a statement. A call was placed to § 87(2)(b) and a voicemail was left advising her that § 87(2)(b) was at the CCRB and was going to provide a statement regarding the case. § 87(2)(b) was advised to call back immediately if she did not wish for him to provide a statement. § 87(2)(b) also contacted § 87(2)(b) from a cell phone on this date but did not leave a voicemail after § 87(2)(b) did not answer. Regardless, § 87(2)(b) stated that he wished to provide a statement regarding the complaint without speaking to § 87(2)(b) beforehand. Following the interview with § 87(2)(b) a voicemail was received from § 87(2)(b) who stated that she did not want § 87(2)(b) to provide a statement due to his pending criminal charges.

§ 87(2)(g) On February 15, 2017, a call was placed to § 87(2)(b) who was informed this case would be closed without an investigation, and § 87(2)(b) can request to reopen the case after the criminal court proceedings have ended.

§ 87(2)(g)

Squad:

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date